

JAN 22 2009

BY: JOHN F. CORZORAN, CLERK  
H. DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

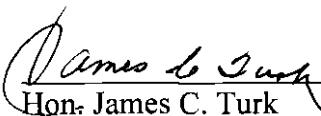
SCOTT SHIFFLETT, )  
Petitioner, ) Civil Action No. 7:06-CV-00404  
v. )  
UNITED STATES OF AMERICA, )  
Respondent. ) FINAL ORDER  
By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby

**ADJUDGED AND ORDERED**

that Respondent United States' Motion to Dismiss (Docket No. 12) is **GRANTED** and Petitioner Scott Shifflett's Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255 (Docket No. 1) shall be and hereby is **DISMISSED**. The Clerk of Court is directed to strike the case from the active docket of the court and to send a copy of this Final Order and accompanying Memorandum Opinion to counsel of record for the Petitioner and Respondent.

ENTER: This 22<sup>nd</sup> day of January, 2009.

  
Hon. James C. Turk  
Senior United States District Judge